

**LICENSES AND CONSUMER SERVICES
LICENSE INSPECTOR'S REPORT**

License Number: L206-50184 **Police File Number:** 13256

Date of Application: May 2, 2012

Inspector: Michele Harvet, 612-673-5484

Applicant/Legal Entity: Frank Taco Northeast, LLC

DBA/Trade Name: Rusty Taco

Complete Address: 522 Hennepin Ave E, Minneapolis, MN 55414

License Requested: On-Sale Liquor with Sunday Sales, Class E

Current License: None

Purpose of Application: To obtain a new On-Sale Liquor License

Responsible person within 75 miles of Minneapolis City Hall: Bruce Ringgenberg

Public Hearing Required: Yes

License Conditions: Not at this time

Neighborhood/Ward: Marcy-Holmes / 3

Zoning: C2/PO/UA – This is a permitted use in the Neighborhood Corridor Commercial District/Pedestrian Oriented Overlay District/University Area Overlay District

7 acre requirement: Met

Off-Street Parking: The Office of the Zoning Administrator has determined that 4 spaces are required to be provided on site. This requirement has been met.

Churches or schools within 300 feet of the proposed premises: No

Seating: Inside: 65 Seats Outside: None

Fire Occupancy: Inside: tbd Maximum Capacity Outside: N/A

Food Service Requirement: The applicant is within 500 feet of a residentially zoned district and is required to operate as a restaurant subject to the 60/40 ratio of food to alcohol sales. No more than 40% of gross annual sales may be from alcohol.

Hours of operation proposed: 10:00 A.M. to 10:00 P.M. daily

Metropolitan Council Service Availability Charges: A new SAC determination advised that six SAC units are due for this business. This has been paid by the applicant.

HISTORY OF LOCATION

This location used to be occupied by Look See Eye Clinic. It has not held a business license prior to this time.

APPLICANT

The applicant is Frank Taco Northeast, LLC; a Minnesota limited liability company formed on March 1, 2011, Charter Number 4200244-2, having the required restriction on the transfer of shares and has the following owners:

<u>Name</u>	<u>DOB</u>	<u>Title</u>	<u>Shares</u>
Bruce Ringgenberg	2/23/66	Operating Partner/GM	10%
Richard Byrd	11/30/57	President	45%
Todd Adams	6/7/73	CEO	45%

The applicants have experience in owning and operating a restaurant. They meet all minimum requirements including criminal and financial background checks.

MANAGER

The manager at Rusty Taco will be Bruce Ringgenberg. Mr. Ringgenberg has worked in the food and alcohol service industry since 2010 by owning and operating Rusty Taco in St. Paul. He also worked in the alcoholic beverage industry as a bartender from 1989 to 1993.

POLICE REVIEW

Police Licensing and this Inspector have reviewed the expenses and source of funds reported in this application. The applicant has provided documentation showing adequate legal and traceable funding for this venture and has passed the criminal background check. The Second Precinct of the Minneapolis Police Department has discussed security issues with the applicant.

PREMISES

The premises are on the first floor at street level. The entire premises occupy approximately 2040 square feet. Approximately 1250 square feet is for the seating area. The rest of the establishment consists of a kitchen, coolers, storage areas and rest rooms.

There will be 45 seats at tables and 20 seats at a food service counter. There is no bar area. There are no undefined spaces and the restaurant is compact and contiguous.

BUSINESS PLAN/OPERATIONS

The applicant and staff, including new hires, will receive alcohol server training through an approved alcohol service trainer.

There are surveillance cameras in the parking lot and in the establishment. There is an alarm system as well. In the event that a customer is being disrespectful, loud or belligerent in any way, it will be the philosophy of Rusty Taco employees to ask the manager on duty to work together in teams to use persuasive means to escort the customer off the premises. If this is not effective, local law enforcement will be contacted. The Rusty Taco concept promotes short visits primarily for the food. The proposed hours of operation are from 10:00 A.M. until 10:00 P.M., seven days a week. Entertainment will consist of background music and television.

Staff will be instructed to pick up litter at all times and landscaping maintenance will be included in their tasks.

The menu will include twelve different flavor/meat combination tacos ranging from \$2.50 to \$3 each.

There will be no amusement devices or charitable gambling.

They are open to sponsoring local sports teams.

PUBLIC HEARING SUMMARY

A public hearing is required for this license application. 144 notices were mailed to residents and property owners within 600 feet of the premises and emailed to the Marcy-Holmes Neighborhood Association, the Nicollet Island East Bank Neighborhood Association, the Northeast Minneapolis Chamber of Commerce and the Historical Northeast Business Association on June 6, 2012. The public hearing will be held on June 18, 2012 at the Regulatory, Energy and Environment Committee meeting.

RECOMMENDATION

The Licenses and Consumer Services Division recommends approving this application for an On-Sale Liquor with Sunday Sales, Class E license.

LICENSE CONDITIONS

None at this time.